

Claims 5 and 14 are considered by the Examiner as allowable, but for being dependent upon a rejected base claim.

Various of the claims are amended.

New claims 28-31 are added. More specifically, new claims 28-29 correspond to objected to claims 5 and 14, rewritten to include all of the features of the base claims and any intervening claims.

In view of the above, it is submitted that claims 1-31 are pending herein for consideration.

II. REJECTION OF CLAIMS 1-4, 6-13 and 15-27 UNDER 35 U.S.C. § 103(a)

On page 2 of the Action, the Examiner rejects claims 1-4, 6-13 and 15-27 under 35 U.S.C. § 103(a) as being unpatentable over Mansell et al., U.S. Patent No. 5,223,844 (Hereinafter "Mansell").

The present invention, as recited in claim 1 (as amended), comprises a plurality of kinds of positioning systems including a Global Position System and radio equipment which uses radio waves to determine the position of the information terminal, and an information terminal for automatically changing any of the positioning systems in an unavailable state to an available one.

Mansell discloses a system which uses a Global Positioning System placed in cars in order to deter and counter car theft. Mansell does not use other systems including radio equipment which uses radio waves to determine the position of the system.

On page 3 of the Action the Examiner takes official notice that "it is well known in the art that mobile units can be equipped with odometers and compasses which together function as an alternative position system. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Mansell et al. by using an existing "built in" positioning system as an alternative system when the G.P.S. system is unavailable."

Under MPEP 2144.03, the Applicant requests that the Examiner provide a reference disclosing a mobile unit with an alternative positioning system. In addition, Mansell does not

disclose using radio waves to determine position. Furthermore, Mansell discloses nothing about “automatically changing any of said positioning systems in an unavailable state, over to an available one of said positioning systems.” Again, the Applicant respectfully requests that the Examiner provide a reference disclosing such a feature.

Claim 2 recites that “a built in device which detects a moving direction and a moving speed of said information terminal, and even when all of said position systems have become unavailable, said information terminal independently detects and displays its current position.” While a device which detects a moving direction and a moving speed may not be novel, providing such devices with the aforementioned positioning systems and using such devices when the position systems become unavailable is not disclosed by the prior art and not rendered obvious by Mansell.

Claim 3 recites that “a third party can acquire the position of a holder of said information terminal through the central system.” Mansell relates to a system where there is no third party, but only two parties, namely the G.P.S. device (in the car) and the control center. However, claim 3 allows a third party, **through the central system**, to acquire the position of the holder. This allows numerous benefits over the prior art, such as those described starting on page 25 of the specification. Thus, Mansell cannot render claim 3 obvious.

Claim 4 is allowable based on its dependency upon claim 3, which is dependent upon claim 1.

Claim 6 recites that the information terminal “transmits position information of a destination to the central system, thereby to automatically download map data of an appropriate scale from said central system on demand, the map data containing the current position of said information terminal and a position of the destination.” The computerized graphic maps in Mansell are not transmitted, and are only displayed at the control center.

Claim 7 recites that the “information terminal retains minimum map data of a region in which a holder thereof wants to move, in the form of an IC card.” Mansell discloses nothing about retaining a minimum of map data, because Mansell does not transmit map data. Also, Mansell discloses nothing about the claimed IC card. Therefore, Mansell cannot render claim 7 obvious.

Claim 8 recites that the “information terminal retains map data downloaded from the central system for a certain period of time, and when map data needed before becomes necessary again, it is searched for from within the map data retained in said information terminal and is displayed.” Again, since Mansell does not disclose downloading map data, Mansell cannot render the features of claim 8 obvious.

Claim 9 recites that the “information terminal sets a time period for retaining map data of higher use frequency, to be longer than a certain period of time.” In Mansell, the map data is not transmitted, therefore the entire storage of map data is retained. Therefore, the features of claim 9 cannot be realized by Mansell.

In addition, claims 10-13 and 15-22 recite similar features to the claims discussed above, and for the reasons mentioned above, should be allowable over the prior art.

Claim 23 recites that the portable radio terminal comprises a unit connected to additional equipment for acquiring position information of a third party, and a unit outputting the acquired position information of the third party.” Mansell relates to a system where there is no third party, but only the G.P.S. device (in the car) and the control center. However, claim 23 recites a **portable** radio terminal that can acquire the position of a third party. This allows numerous benefits over the prior art, such as those described starting on page 25 of the specification. Thus, Mansell cannot render claim 23 obvious.

Claim 24, similar to claim 23, recites “a unit for acquiring a current position of the portable radio terminal of a third party from said center.” The control center in Mansell does not send out the position of a portable terminal to a third party. Again, this results in numerous advantages over the Mansell system, and it Mansell cannot render claim 24 obvious.

In addition, claims 25-27 are ultimately dependent upon claim 24, and are allowable over the prior art.

III. NEW CLAIMS 28-30

New claims 28-29 correspond to objected to claims 5 and 14 rewritten to include all of the features of the base claim and any intervening claims.

New claims 30-31 includes features which the Examiner indicated on page 5 of the Action as being allowable subject matter.


IV. CONCLUSION

In view of the above, it is respectfully submitted that the application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

If any further fees are required by the submission of this Amendment, please charge same to deposit account no. 19-3935.

Respectfully submitted,

STAAS & HALSEY


Jon Muskin
Registration No. 43,824

Dated: 9-23-99
700 Eleventh Street, N.W.
Suite 500
Washington, D.C. 20001
(202) 434-1500